

11/28/00  
109722338-1.1.2800

PTO/SB/05 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. PAT 323-2  
First Inventor ZHANG, Hang et al.  
Title Dynamic Automatic ...  
Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 12]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 2]
  - a. ☒ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
  - b. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Other: Nonpublication Request 37 CFR 1.38(b)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

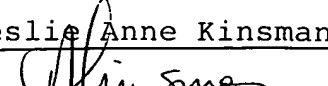
Prior application information: Examiner: \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label  or ☐ Correspondence address below

Name 26123  
PATENT TRADEMARK OFFICE  
Address  
City State Zip Code  
Country Telephone Fax

Name (Print/Type) Leslie Anne Kinsman Registration No. (Attorney/Agent) 45,291  
Signature  Date NOV 27, 2000

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# FEE TRANSMITTAL

## for FY 2001

*Patent fees are subject to annual revision.*

**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	ZHANG, Hang et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	PAT 323-2

<b>TOTAL AMOUNT OF PAYMENT</b>	(\$)	750.00
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### METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	501593
Deposit Account Name	Borden Ladner Gervais LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other

### FEE CALCULATION

## 1. BASIC FILING FEE

	Large Entity	Small Entity
1. <b>Revenue Recognition</b>	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.
2. <b>Cost of Sales</b>	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.
3. <b>Impairment of Financial Assets</b>	Impairment of financial assets is recognized when there is a significant increase in the credit risk of the asset, and the impairment is measured at the difference between the carrying amount and the present value of the expected cash flows.	Impairment of financial assets is recognized when there is a significant increase in the credit risk of the asset, and the impairment is measured at the difference between the carrying amount and the present value of the expected cash flows.
4. <b>Provisions</b>	Provisions are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.	Provisions are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.
5. <b>Share-based Payments</b>	Share-based payments are recognized when the entity receives services from employees or directors, and the amount of the payment is measured at the fair value of the equity instrument issued.	Share-based payments are recognized when the entity receives services from employees or directors, and the amount of the payment is measured at the fair value of the equity instrument issued.
6. <b>Financial Instruments</b>	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or financial liability, and the instrument is measured at the fair value of the instrument.	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or financial liability, and the instrument is measured at the fair value of the instrument.
7. <b>Leases</b>	Leases are recognized when the entity enters into a contract that gives rise to a lease, and the lease is measured at the present value of the lease payments.	Leases are recognized when the entity enters into a contract that gives rise to a lease, and the lease is measured at the present value of the lease payments.
8. <b>Intangible Assets</b>	Intangible assets are recognized when the entity acquires an intangible asset, and the asset is measured at the cost of the asset.	Intangible assets are recognized when the entity acquires an intangible asset, and the asset is measured at the cost of the asset.
9. <b>Goodwill</b>	Goodwill is recognized when the entity acquires a business, and the goodwill is measured at the difference between the cost of the acquisition and the fair value of the identifiable intangible assets.	Goodwill is recognized when the entity acquires a business, and the goodwill is measured at the difference between the cost of the acquisition and the fair value of the identifiable intangible assets.
10. <b>Provisions for Contingent Liabilities</b>	Provisions for contingent liabilities are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.	Provisions for contingent liabilities are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

<b>SUBTOTAL (1)</b>	<b>(\$)</b>	<b>710.00</b>
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## 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>18</u>	-20** = <u>---</u>	X <u>---</u>	= <u>---</u>
Independent Claims <u>3</u>	-3** = <u>---</u>	X <u>---</u>	= <u>---</u>
Multiple Dependent			= <u>---</u>

	Large Entity	Small Entity
1. <b>Revenue Recognition</b>	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.
2. <b>Cost of Sales</b>	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.
3. <b>Impairment of Financial Assets</b>	Impairment of financial assets is recognized when there is a significant increase in the credit risk of the asset, and the impairment is measured at the difference between the carrying amount and the present value of the expected cash flows.	Impairment of financial assets is recognized when there is a significant increase in the credit risk of the asset, and the impairment is measured at the difference between the carrying amount and the present value of the expected cash flows.
4. <b>Provisions</b>	Provisions are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.	Provisions are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.
5. <b>Share-based Payments</b>	Share-based payments are recognized when the entity receives services from employees or directors, and the amount of the payment is measured at the fair value of the equity instrument issued.	Share-based payments are recognized when the entity receives services from employees or directors, and the amount of the payment is measured at the fair value of the equity instrument issued.
6. <b>Financial Instruments</b>	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or financial liability, and the instrument is measured at fair value.	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or financial liability, and the instrument is measured at fair value.
7. <b>Leases</b>	Leases are recognized when the entity enters into a contract that gives rise to a lease, and the lease is measured at the present value of the lease payments.	Leases are recognized when the entity enters into a contract that gives rise to a lease, and the lease is measured at the present value of the lease payments.
8. <b>Intangible Assets</b>	Intangible assets are recognized when the entity acquires an intangible asset that is identifiable and has a measurable value, and the asset is measured at cost.	Intangible assets are recognized when the entity acquires an intangible asset that is identifiable and has a measurable value, and the asset is measured at cost.
9. <b>Goodwill</b>	Goodwill is recognized when the entity acquires a business, and the amount of goodwill is measured at the difference between the cost of the acquisition and the fair value of the identifiable intangible assets.	Goodwill is recognized when the entity acquires a business, and the amount of goodwill is measured at the difference between the cost of the acquisition and the fair value of the identifiable intangible assets.
10. <b>Provisions for Contingent Liabilities</b>	Provisions for contingent liabilities are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.	Provisions for contingent liabilities are recognized when there is a present obligation as a result of a past event, and the amount of the provision is measured at the best estimate of the amount required to settle the obligation.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

<b>SUBTOTAL (2)</b>	<b>(\$)</b>	<b>0.00</b>
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**FEE CALCULATION (continued)**


### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge -late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid      **SUBTOTAL (3)**      (\$)      40.00

## SUBMITTED BY

Name (Print/Type)	Leslie Anne Kinsman
Signature	

Registration No. (Attorney/Agent)	45,291
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Complete (if applicable)

Telephone	613-237-5160
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Date	Nov. 27 2000
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**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		ZHANG, Hang et al.
	Title	Dynamic Automatic Retransmission Request in Wireless ...	
	Atty Docket Number	PAT 323-2	

JC641 U.S. PAT. & TM. OFF.  
09/22/00

11/28/00

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Nov. 27, 2000

Date

*Leslie Anne Kinsman*

Signature

Leslie Anne Kinsman  
Registration No. 45,291

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.